

REFERENCE TITLE: *service of subpoena; technical correction*

State of Arizona  
Senate  
Forty-eighth Legislature  
First Regular Session  
2007

## **SB 1094**

Introduced by  
Senators Burns, Bee, Blendu, Huppenthal: Verschoor

*AN ACT*

*AMENDING SECTION 13-4072, ARIZONA REVISED STATUTES; RELATING TO SERVICE OF SUBPOENA.*

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 13-4072, Arizona Revised Statutes, is amended to  
3 read:

4 13-4072. Service of subpoena

5 A. A subpoena may be served by any person.

6 B. A subpoena may be served by any of the following methods:

7 1. Personal service.

8 2. Certified mail.

9 3. First class mail, if a certificate of service and return card ~~is~~  
10 ARE returned by the addressee.

11 C. Personal service of a subpoena is made by showing the original to  
12 the witness personally, informing him of its contents and delivering a copy  
13 of the subpoena to such witness. Written return of service of a subpoena  
14 must be made without delay, stating the time and place of service.

15 D. Subpoenas may be served by certified mail for delivery to THE  
16 addressee only. The subpoena shall be registered and mailed, postage and  
17 registry fee prepaid, to the addressee with a request endorsed on the  
18 envelope in the usual form for the return of the letter to the sender if not  
19 delivered within five days. The receipt of such certified letter by the  
20 addressee is deemed valid service upon him and the returned receipt signed by  
21 the addressee named in the subpoena is prima facie evidence of notification.

22 E. Subpoenas may be served by first class mail if the addressee is  
23 supplied with a certificate of service and return card. The return of such  
24 card signifies and states that the addressee has received official notice to  
25 appear in court, that he waives all further service of subpoena and that he  
26 submits to the jurisdiction of the court for the purposes set forth in the  
27 subpoena. The return of the signed card is prima facie evidence of  
28 notification.

29 F. A peace officer shall serve in his county any subpoena delivered to  
30 him for service, either on behalf of this state or the defendant.

31 ~~G. The methods described in this section also apply to out of county~~  
32 ~~subpoenas as set forth in section 13-4076.~~